

STAFF REPORT

TO: Erica Kellogg, Deputy Clerk – Planning & Development
Municipality of Magnetawan

FROM: Patrick Townes, BA, BEd and Jamie Robinson, BES, MCIP, RPP
MHBC Planning Limited

DATE: March 4, 2026

SUBJECT: Zoning By-law Amendment Application
Marszewski – 3363 Highway 520

Recommendation

Based on the land use planning analysis contained in this Planning Report, MHBC Planning Limited recommends:

THAT Council receives the Planning Report dated March 4, 2026, respecting the Zoning By-law Amendment application for the subject property located at 3363 Highway 520; and,

THAT Council approves the Zoning By-law Amendment and passes a By-law.

Proposal /Background

A Zoning By-law Amendment application has been submitted for a portion of the subject lands that are legally described as Concession 3 and 4, Part Lots 26 and 27 Parcel 6732SS Chapman Township. The subject lands are known municipally as 3363 Highway 520. The owner of the subject lands is Eva Marszewski. The subject lands are shown on Figure 1.

The purpose and effect of the Zoning By-law Amendment application is to fulfill a condition of provisional Consent which was approved, being File No. B05/25. The purpose of the Consent application was to create two new lots on the subject lands and one retained lot, for a total of three lots.

A condition of provisional Consent included the following:

That the Applicant apply for and be approved for a Zoning Amendment to rezone the proposed Severed Lot 2 to comply with the minimum lot size and minimum lot frontage of the Zoning By-law the existing lot deficiencies to being the proposed Severed Lot into compliance with the Zoning By-law.

The subject lands are shown on Figure 1 and the proposed lot configuration that identifies the proposed lots is shown on Figure 2. The lands to be rezoned (Severed Lot 2) are shown on Figure 2.

Figure 1: Location of Subject Property

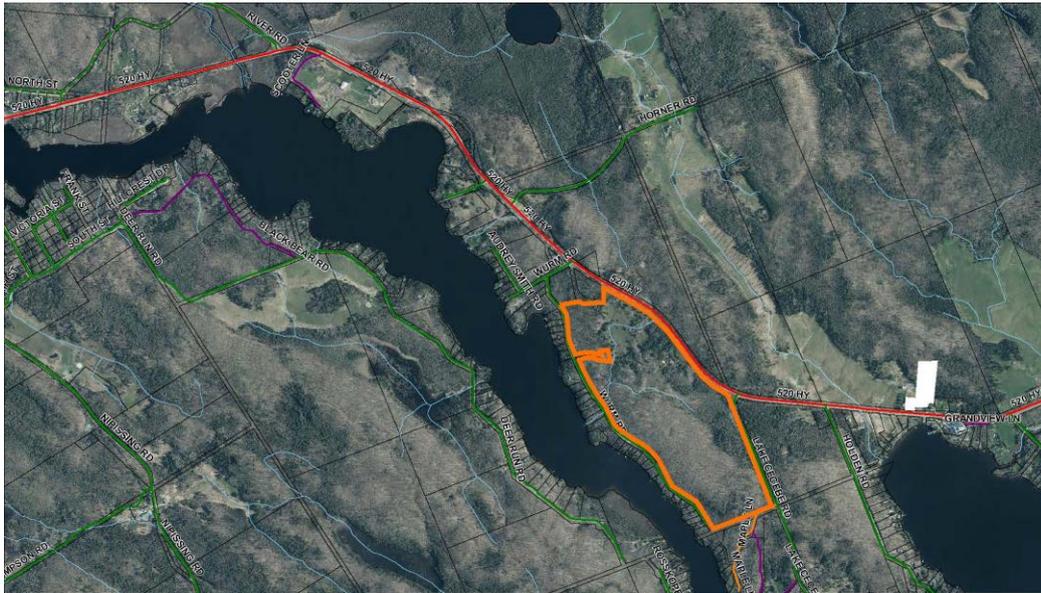
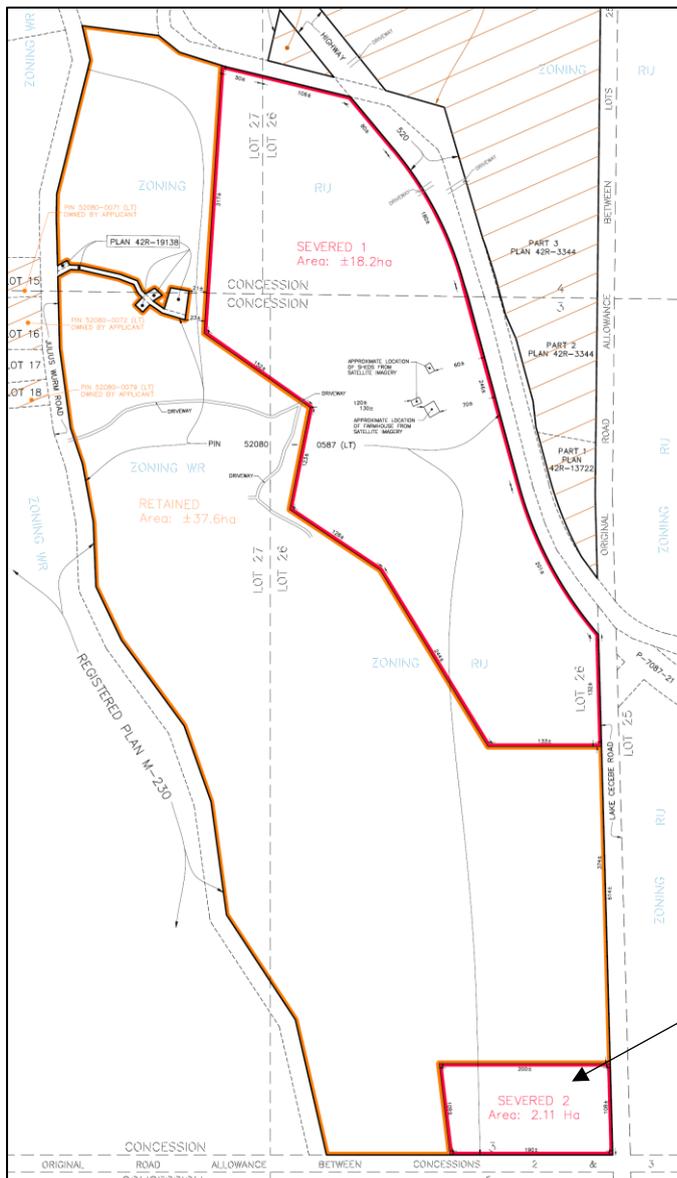


Figure 2: Proposed Lot Configuration Sketch



Lands to be Rezoned

The proposed amendment is to rezone Severed Lot 2 from the Rural (RU) Zone to Rural Residential (RR) Zone because the lot meets the zone requirements for the RR Zone.

Severed Lot 1 contains an existing dwelling and accessory buildings. Severed Lot 2 and the Retained Lot are currently vacant. The surrounding land uses include rural, rural residential and shoreline residential properties.

Policy Analysis

Provincial Planning Statement

The Provincial Planning Statement (PPS) is a document that provides policy direction on matters of Provincial interest concerning land use planning. Ontario has a policy-led planning system, and the PPS sets the foundation for regulating the development and use of land in the Province. Policies are set out to provide for appropriate development while also protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. When making land use planning decisions, Planning Authorities must ensure that all planning decisions are consistent with the PPS.

The subject lands are located outside of a Settlement Area and are considered Rural Lands in the context of the PPS. Section 2.6 of the PPS outlines policies for Rural Lands, which includes residential development.

Section 3.6.4 of the PPS states that individual on-site sewage services and individual on-site water services may be used for a new development provided that site conditions are suitable for the long-term provision of such services with no negative impacts. Severed Lot 2 is currently vacant and appears to be large enough to accommodate a septic system for a future dwelling.

Section 4 of the PPS contains policies related to the wise use and management of resources. Section 4.1.8 of the PPS contains policies regarding development adjacent to natural heritage features and areas. There are no significant natural heritage features identified on the subject lands or on adjacent lands (within 120 metres of the subject lands). There is a watercourse and an other wetland identified on the subject lands. The area identified as containing the other wetland is restrictively zoned within the Environmental Protection (EP) Zone in the Zoning By-law. Severed Lot 2 is located beyond the adjacent lands from the other wetland, and the Retained Lot is large in size and provides for a future building envelope outside of the other wetland and the area zoned Environmental Protection (EP).

Chapter 4.5 of the PPS contains policies regarding Mineral Aggregate Resources. The subject lands contain an Aggregate and Mineral Resources overlay in the Official Plan. Section 4.5.2.5 of the PPS states:

In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) Resource use would not be feasible; or*
- b) The proposed land use or development serves a greater long-term public interest; and*
- c) Issues of public health, public safety and environmental impact are addressed.*

Although separated from the Magnetawan River by Wurm Road, the adjacent land uses to the west of the subject lands includes a number of shoreline residential lots. In terms of land use compatibility, the proposed residential uses on the subject lands, including Severed Lot 2, are compatible with the surrounding lands uses and there are other rural lands in the area available for future mineral aggregate resources in the area.

Section 5 of the PPS contains policies related to protecting public health and safety. In accordance with Section 5.2 of the PPS, the subject lands are located outside of hazardous lands and hazardous sites and not effected by a flooding hazard or erosion hazard.

The Zoning By-law Amendment application is consistent with the PPS.

Municipality of Magnetawan Official Plan

The Municipality's Official Plan provides policy direction on growth and development within Magnetawan. The policies in the Plan address the environment, cultural and built heritage, natural resources and servicing and transportation. In accordance with Schedule A of the Official Plan, the subject lands are primarily designated Rural and Environmental Protection. The subject lands also contain an Aggregate and Mineral Resources overlay. The Environmental Protection designation is representative of the other wetland that is identified on the subject lands.

Section 4.10 of the Official Plan includes policies regarding adjacent lands. The wetland on the subject lands is identified as an Other Wetland, and in accordance with Section 4.10 adjacent lands are considered lands within 50 metres of the boundary of the Other Wetland. Potential impacts as a result of the proposed development must be considered within these adjacent lands. Severed Lot 2 is located beyond the 50 metre adjacent lands from the other wetland, and the Retained Lot is large in size and provides for future building envelopes outside of the other wetland and the area zoned Environmental Protection (EP).

Section 4.14.1 of the Official Plan includes a similar policy as Section 4.5.2.5 in the PPS regarding Aggregate and Mineral Resources. Although separated from the Magnetawan River by Wurm Road, the adjacent land uses to the west of the subject lands includes a number of shoreline residential lots. In terms of land use compatibility, the proposed residential uses on the subject lands are compatible with the surrounding land uses and there are other rural lands in the area available for future mineral aggregate resources in the area.

Section 5.2 of the Official Plan includes policies for the Rural designation. Permitted uses within the Rural designation include residential dwellings. The future development of residential uses on each of the lots, including the proposed Severed Lot 2, conforms to the permitted uses of the Official Plan.

The Zoning By-law Amendment conforms to the Official Plan.

Municipality of Magnetawan Zoning By-law

The proposed amendment is to rezone Severed Lot 2 from the Rural (RU) Zone to Rural Residential (RR) Zone. The resulting lot does not meet the minimum lot area and frontage for the Rural (RU) Zone. The minimum lot area requirements for the Rural (RU) Zone is 10 hectares and the minimum lot frontage is 134 metres. The proposed size of Severed Lot 2 is representative of a rural residential lot and meets the requirements of the RR Zone in the Zoning By-law.

The proposed lot sizes are provided in Table 1.

Table 1: Proposed Lot Size Requirements

Zoning Provision	Zoning Requirement	Severed Lot 1	Severed Lot 2	Retained Lot
Lot Area	10 hectares	± 18.2 ha	± 2.1 ha	± 37.6 ha
Lot Frontage	134 metres	± 695 m (Highway 520)	± 108 m (Lake Cecebe Road)	± 374 m (Lake Cecebe Road)

The minimum lot area and frontage in the RR Zone is 1 hectare and 60 metres respectively. Severed Lot 2 meets the minimum zoning requirements of the Rural Residential (RR) Zone.

The draft Zoning By-law Amendment is attached to this Report.

Comments from Departments

Please note that no comments were received at the time this Staff Report was prepared.

Road Department: no comments were received

Fire Chief: no comments were received

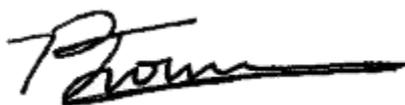
Building Department: no comments were received

By-law Department: no comments were received

Summary

The proposed Zoning By-law Amendment is consistent with the PPS and conforms to the Municipality's Official Plan. Based on the proposal, the amendment will appropriately zone Severed Lot 2 to the Rural Residential (RR) Zone and therefore satisfy a condition of provisional Consent. Severed Lot 2 is large enough to accommodate a future dwelling and septic system. It is recommended that the application be approved, and the draft Zoning By-law Amendment be passed.

Respectfully submitted,



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